

REMARKS

Claims 22-30 and 47-54 are now pending and stand finally rejected in the application. Claims 22 and 48-52 are amended with this reply and claims 23 and 47 are cancelled. Upon entry of the amendments, claims 22, 24-30 and 48-54 remain pending.

Support for the amendment reciting that the coextruded sheet consists of layers A-B-A is found in the specification as originally filed, for example at paragraphs [0018], [0025], and Figure 2. Support for the amendment to claim 22 is found in the original specification, for example in original claim 23. Applicants respectfully request entry of the amendments.

CONSIDERATION AFTER A FINAL REJECTION

Entry of the amendments and consideration after a Final Rejection is proper because the amendments and the remarks place the claims in an allowable condition and require no further examination. Further and favorable consideration is urgently solicited.

INTERVIEW WITH EXAMINER DESAI

Applicants would like to thank Examiner Desai for the courtesies extended to Applicants' representative in a telephonic interview on March 31, 2009. The subject matter of the claims was discussed in light of the disclosure of the cited references. It was agreed that Applicants would submit an Amendment After Final, amending the claims to recite that the three layer composite consists of layers A-B-A. It was also agreed that Applicants could submit evidence that a coextruded multilayer sheet is understood as having a different structure than a conventional laminated multilayer sheet. Applicants greatly appreciate the consideration given by the Examiner.

REJECTION UNDER 35 U.S.C. § 112

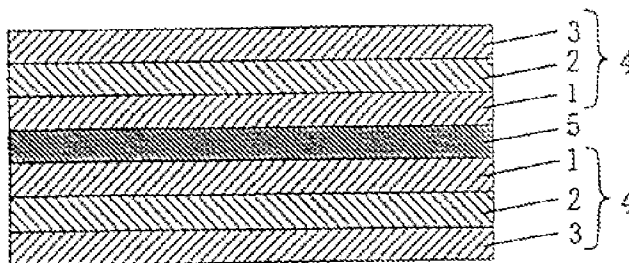
Claims 22-30 and 47-54 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirements. Applicants believe that the amendment to claim 22 and amendment of the other claims to depend from claim 22 has mooted this rejection. Accordingly, Applicants respectfully request that the rejection be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 22-24, 26, 28-30, 47, 48, and 50-53 stand rejected under 35 U.S.C. § 103(a) as obvious over the Takahira reference (U.S. 6,395,360) in view of the Gerard reference (U.S. 5,929,167). Applicants respectfully traverse the rejection as applied to the amended claims and request reconsideration.

Applicants have amended the claims to recite that the claimed three layer coextruded A-B-A composite sheet consists of layers A-B-A. This amendment is consistent with Applicants' comments in prior prosecution that the claim structures differ from the structure in the cited references by being of only three layers. The multilayer composite article disclosed in the Takahira reference, on the other hand has up to seven layers. To illustrate, Figure 2 of the reference is repeated here for convenience:

Fig. 2



As is immediately evident, the structure of Figure 2 has seven layers, wherein the claimed composite sheet has only three. As relevant to the Takahira reference, claim language essentially must exclude layers 2 and 3 from the composite of Figure 2. Consistent with Applicants' arguments, the claimed composite distinguishes over the multilayer composite of the reference. Further, the references do not provide motivation or an apparent reason to modify their disclosure to arrive at the three layer composites of the amended claims. For these reasons, Applicants respectfully request that the obviousness rejection be withdrawn.

The claims also differ in a non-obvious way from the reference because they recite a coextruded composite sheet. The reference, on the other hand discloses a seven layer material (see Figure 2 above) produced by conventional lamination.

The person of skill in the art understands that the structure of a coextruded sheet is different from that of a conventional laminated multilayer sheet. Attention is respectfully drawn to the enclosed page 106 of the Encyclopedia of Polymer Science and Engineering, Vol. 7 (1987 Edition). In the passage marked, the treatise states that coextrusion avoids the complexities of conventional lamination processes, and explains that in conventional lamination, the individual plies must be separately primed, coated, and laminated. The priming and coating steps result in a different structure between conventionally laminated films and the claimed coextruded composite sheets. For this additional reason, Applicants submit that the amended claims are not anticipated and non-obvious over the cited reference.

CONCLUSION

For the reasons discussed above, Applicants believe that claims 22, 24-30, and 48-54 as amended are in a state of allowability and request an early Notice of Allowance. In the alternative, Applicants respectfully an Advisory Action stating whether the amendments can be entered and the remarks considered at this time. The Examiner is invited to telephone the undersigned if that would be helpful to resolving any issues.

Respectfully submitted,

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